

U.S. DISTRICT COURT  
DISTRICT OF VERMONT  
FILED

2021 JAN 14 AM 11:51

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF VERMONT

UNITED STATES OF AMERICA

v.

KYLE S. LAMOTHE,  
Defendant.

CLERK  
BY *[Signature]*  
DEPUTY CLERK

Case No. 5:21-cr-2-1

**INDICTMENT**

The Grand Jury charges:

Count One

Between in or about May 2020 and in or about November 2020, in the District of Vermont and elsewhere, defendant KYLE S. LAMOTHE knowingly and willfully conspired with others, known and unknown to the Grand Jury, to manufacture, distribute, and possess with intent to distribute marihuana and tetrahydrocannabinols (THC), Schedule I controlled substances.

With respect to defendant KYLE S. LAMOTHE, his conduct as a member of the conspiracy, including the reasonably foreseeable conduct of other members of the conspiracy, involved 100 kilograms or more of a mixture and substance containing a detectable amount of marihuana, a Schedule I controlled substance.

(21 U.S.C. §§ 846, 841(a)(1), 841(b)(1)(B), 841(b)(1)(C))

Count Two

On or about November 12, 2020, in the District of Vermont, defendant KYLE S. LAMOTHE knowingly and intentionally possessed with intent to distribute 100 kilograms or more of a mixture or substance containing a detectable amount of marihuana, a Schedule I controlled substance.

(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(B))

Count Three

On or about June 18, 2020, in the District of Vermont, defendant KYLE S. LAMOTHE knowingly and intentionally distributed marihuana, a Schedule I controlled substance.

(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(D))

Count Four

On or about September 23, 2020, in the District of Vermont, defendant KYLE S. LAMOTHE knowingly and intentionally distributed marihuana, a Schedule I controlled substance.

(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(D))

Forfeiture Notice


1. The allegations contained in Counts One through Four of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging a forfeiture basis pursuant to 21 U.S.C. § 853 and 28 U.S.C. § 2461(c).
  
2. Pursuant to 21 U.S.C. § 853, upon conviction of an offense in violation of 21 U.S.C. §§ 846 & 841(a)(1), the defendant KYLE S. LAMOTHE shall forfeit to the United States any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the offense and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense. The property to be forfeited includes, but is not limited to, the following:
  - a. \$120,989 of United States Currency seized from 161 Lasnier Road in Swanton, Vermont on or about November 12, 2020; and
  - b. the Across International Rotary Evaporator Model SE53, Welch Vacuum Pump, and Across International Recirculating Chiller apparatus seized from 161 Lasnier Road in Swanton, Vermont on or about November 12, 2020.
  
3. If any forfeitable property described above, as a result of any act or omission of the defendant,
  - a. cannot be located upon the exercise of due diligence;
  - b. has been transferred or sold to, or deposited with, a third party;
  - c. has been placed beyond the jurisdiction of the court; or
  - d. has been commingled with other property which cannot be subdivided without difficulty,

the United States shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p).

(21 U.S.C. § 853)

A TRUE BILL



  
CHRISTINA E. NOLAN (MJL)  
United States Attorney  
Burlington, Vermont  
January 14, 2021